

To: Matsumoto, Kimi[Matsumoto.Kimi@epa.gov]; Denawa, Mai[Denawa.Mai@epa.gov]; Sutin, Elyana[Sutin.Elyana@epa.gov]
From: Logan, Paul
Sent: Thur 2/25/2016 7:43:02 PM
Subject: RE: Pavillion Update

Thanks -

Paul Logan

Acting Regional Counsel | EPA Region 8

303.312.6854 | logan.paul@epa.gov

From: Matsumoto, Kimi
Sent: Thursday, February 25, 2016 12:37 PM
To: Logan, Paul <Logan.Paul@epa.gov>; Denawa, Mai <Denawa.Mai@epa.gov>; Sutin, Elyana <Sutin.Elyana@epa.gov>
Subject: Pavillion Update

Confidential/deliberative

Thanks Mai!!

A quick update from the R8/HQ call today:

Ex. 5 - Deliberative Process

- Ayn will make more revisions and send around a revised draft next week.
- Next internal call is scheduled for 3/10
- HQ? drafting cover letter

- Shaun asked the State for an informal meeting before we send our letter.

- Comments due 3/18.

- After the call, I gave Ayn and Sandy an overview of the status of the Locker litigation. The Lockers were at the public hearing and raised some questions about future monitoring and the timing of the final report. The State responded that they do not have a timeframe for finalization. (Although it sounds like the Powder River Basin and others asked for independent peer review of the draft – which if agreed to, could delay finalization).

From: Logan, Paul

Sent: Thursday, February 25, 2016 9:34 AM

To: Denawa, Mai <Denawa.Mai@epa.gov>; Matsumoto, Kimi <Matsumoto.Kimi@epa.gov>; Sutin, Elyana <Sutin.Elyana@epa.gov>

Subject: RE: WY Pavillion: Follow-up on Locker litigation

Thanks Mai – very helpful to have confirmed these deadlines.

Paul Logan

Acting Regional Counsel | EPA Region 8

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From: Denawa, Mai

Sent: Thursday, February 25, 2016 9:29 AM

To: Matsumoto, Kimi <Matsumoto.Kimi@epa.gov>; Logan, Paul <Logan.Paul@epa.gov>; Sutin, Elyana <Sutin.Elyana@epa.gov>

Subject: WY Pavillion: Follow-up on Locker litigation

Following up on our meeting on Tuesday regarding timelines for the Locker litigation and when the Federal District Court of Wyoming may issue an order related to the motion for summary

judgment Encana filed [Attached: minute sheet on motion hearing]:

Ex. 5 - Attorney Work Product

I will keep you posted on any new updates with the docket.

Mai

From: Matsumoto, Kimi

Sent: Monday, February 22, 2016 12:17 PM

To: Logan, Paul <Logan.Paul@epa.gov>; Sutin, Elyana <Sutin.Elyana@epa.gov>; Denawa, Mai <Denawa.Mai@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>

Subject: FW: Casper Star Tribune: DEQ: No timeline for implementing recommendations of Pavillion studies

From: Schmit, Ayn

Sent: Monday, February 22, 2016 12:03 PM

To: Parker, Robert <Parker.Robert@epa.gov>; Keteles, Kristen <Keteles.Kristen@epa.gov>; McKean, Deborah <mckean.deborah@epa.gov>; Matsumoto, Kimi <Matsumoto.Kimi@epa.gov>

Subject: FW: Casper Star Tribune: DEQ: No timeline for implementing recommendations of Pavillion studies

From: Mylott, Richard

Sent: Monday, February 22, 2016 10:16 AM

To: Schmit, Ayn; Hestmark, Martin; Card, Joan; McGrath, Shaun; Oberley, Gregory

Subject: Casper Star Tribune: DEQ: No timeline for implementing recommendations of Pavillion studies

Fyi.

PAVILLION

http://trib.com/business/energy/deq-no-timeline-for-implementing-recommendations-of-pavillion-studies/article_b1ba3d10-6a8b-5d3c-a38c-06c85baa6ba6.html

DEQ: No timeline for implementing recommendations of Pavillion studies

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Benjamin Storrow



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Rhonda Locker hugs her daughter, Candis, goodbye beside her husband, Jeff, following a family lunch Friday outside the family's former home in Pavillion where they had lived since 1984. Jeff and Rhonda Locker are suing Encana Corp., alleging the company withheld information about the quality of their water which ultimately led to a deterioration of Rhonda's health.

RIVERTON — State regulators said this week there is no firm timetable for moving forward with a series of recommendations on how to address lingering concerns about the source groundwater contamination near Pavillion.

Those comments were delivered at the first Pavillion Working Group meeting in two years and followed the release of the Department of Environmental Quality's draft report into groundwater contamination in the area.

Residents pressed state officials on whether DEQ would install groundwater monitoring wells, which industry experts have said are essential to identifying the source of pollution. Three state reports into the matter have said regulators should consider installing groundwater monitoring wells.

But DEQ's \$300,000 budget request for additional work in Pavillion does not call for the installation of such wells. It would instead pay for further water sampling.

Kevin Frederick, director of DEQ's water quality division, said a decision on monitoring wells will be made after the department finalizes its report. There is no deadline on when that report will be finalized, he told residents.

"That more than likely is going to take some time. I can't tell you how long it's going to take," Frederick said. "It's going to depend in large part on the extent of public comments we receive."

The public comment period ends March 18.

Pavillion rose to the fore of a national debate over the safety of fracking after a preliminary U.S. Environmental Protection Agency report in 2011 tentatively linked the practice of stimulating oil and gas wells to unsafe drinking water east of the central Wyoming community. EPA aborted its investigation in the face of intense political pressure in 2013, a Star-Tribune investigation found, turning over the inquiry to state regulators.

The state subsequently released three reports examining the potential linkage. Each came to no firm conclusions and said more study was needed.

The Pavillion Working Group is comprised of state officials, EPA representatives, local landowners and employees of Encana Corp. — the operator of the Pavillion field. Wednesday's meeting was held to update the public on DEQ's findings. Encana officials were present but did not speak.

The landowners in attendance were less than impressed.

"It feels like 'Groundhog Day,'" said John Fenton, a working group member and outspoken critic of the state investigation. "My perspective on this is someone is telling DEQ this needs to go away. I don't know if these guys' hands are tied or if they're not investigating."

Doyle Ward, whose Riverton well service company often worked in the Pavillion area, echoed the sentiment, recalling the first meeting on the subject in 2000.

"Eleven years ago, at the first meeting, at least they'd say something," he said of state officials.